

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE:

EUSTACE O. UKU,

Debtor.

)
) Bankruptcy No. 21-21712-CMB
)

) Chapter 13
)

) Related to Doc. Nos. 157, 271, 275
)

ORDER

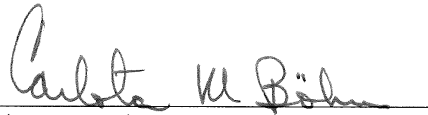
AND NOW, this 14th day of August, 2024, upon consideration of the *Chapter 13 Trustee's Objection to Debtor's August 22, 2022 Plan and Request that Case be Dismissed or Converted* (Doc. No. 271), the pending *Motion to Convert Case from Chapter 13 to Chapter 11* ("Debtor's Motion," Doc. No. 275) filed by Debtor, the record of this case, and for the reasons set forth on the record at the contested confirmation hearing held August 13, 2024,

It is hereby **ORDERED, ADJUDGED, AND DECREED** that:

1. An **evidentiary hearing** will be held on **September 10, 2024**, at **10:00 A.M.** in Courtroom B, 54th Floor, U.S. Steel Tower, 600 Grant Street, Pittsburgh, Pennsylvania, to determine whether the case should be converted to Chapter 7, converted to Chapter 11,¹ or dismissed with prejudice. The hearing will be **in person only**. No telephonic or video connection will be provided for this evidentiary hearing.
2. Eustace O. Uku and Charles A. Knoll, Jr., are ordered to appear in person at the September 10th hearing.
3. To the extent Debtor seeks conversion to Chapter 11, on or before **September 3, 2024**, Debtor shall file (1) a draft or summary of his proposed Chapter 11 plan and (2) income information to support claims of feasibility and good faith.
4. On or before **September 5, 2024**, Debtor and any respondent to the Debtor's Motion, shall file their witness and exhibit lists using the attached forms.
5. On or before **September 5, 2024**, the parties shall exchange exhibits and deliver three complete copies of exhibits to Chambers.

¹ Debtor's Motion has been rescheduled from September 10, 2024, at 1:30 P.M. to 10:00 A.M. on the same date to provide the Debtor with an opportunity to present evidence in support of the request.

- a. All exhibits shall be pre-marked by counsel using exhibit labels. Debtor shall use exhibit numbers, and Respondent(s) shall use exhibit letters. Each exhibit shall also be pre-marked to indicate whose exhibit it is and the date of the evidentiary hearing.
 - b. If any party's exhibits cumulatively total in excess of 20 single-sided pages, each set of the exhibits shall be bound in a three-ring binder, with each exhibit separated by a tabbed divider page.
 - c. The lower right-hand corner of each page of the collective exhibit document shall be consecutively numbered (Bates Stamp numbering) from the first page to the last page, independent of exhibit identification numbers previously placed on the exhibits.
6. Debtor shall serve a copy of this Order on all parties in interest, including the mailing matrix, and file a Certificate of Service forthwith.



Carlota M. Böhm
United States Bankruptcy Judge

FILED
8/14/24 10:50 am
CLERK
U.S. BANKRUPTCY
COURT - WDPA

Date of Evidentiary Hearing _____

3

WITNESS LIST FILED ON BEHALF OF: _____

Case No. _____

Motion _____

Doc. No. _____

Date of Evidentiary Hearing _____

Name of Witness	Address	Area of Testimony

In re:
Eustace O. Uku
Debtor

Case No. 21-21712-CMB
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2
Date Rcvd: Aug 14, 2024

User: auto
Form ID: pdf900

Page 1 of 3
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
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+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
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Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Aug 16, 2024:

Recip ID	Recipient Name and Address
db	+ Eustace O. Uku, 214 Farmington Road, Pittsburgh, PA 15215-1633

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Aug 16, 2024

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on August 14, 2024 at the address(es) listed below:

Name	Email Address
Allison L. Carr	on behalf of Creditor Dep't of Revenue Office of Attorney General acarr@attorneygeneral.gov
Allison L. Carr	on behalf of Defendant Pennsylvania Department of Revenue acarr@attorneygeneral.gov
Amanda Grant	on behalf of Creditor PNC Bank N.A. agrant@utbf.com, ogomez@utbf.com
Andrew Kevin Pratt	on behalf of Debtor Eustace O. Uku apratt@c-vlaw.com kmosur@c-vlaw.com;ssimmons@c-vlaw.com;apratt@c-vlaw.com;ncalaiaro@c-vlaw.com;aopoku@c-vlaw.com
Andrew Kevin Pratt	on behalf of Defendant Eustace O. Uku apratt@c-vlaw.com kmosur@c-vlaw.com;ssimmons@c-vlaw.com;apratt@c-vlaw.com;ncalaiaro@c-vlaw.com;aopoku@c-vlaw.com

District/off: 0315-2

User: auto

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David M Nernberg	on behalf of Creditor Charles A. Knoll Jr. dmn@nernberg.com
David M Nernberg	on behalf of Defendant Charles A. Knoll Jr. dmn@nernberg.com
David M Nernberg	on behalf of Plaintiff Charles A. Knoll Jr. dmn@nernberg.com
David W. Raphael	on behalf of Defendant First National Bank of PA raphaeld@fnb-corp.com
David Z. Valencik	on behalf of Debtor Eustace O. Uku dvalencik@c-vlaw.com kmosur@c-vlaw.com;ssimmons@c-vlaw.com;apratt@c-vlaw.com;ncalaiaro@c-vlaw.com;aopoku@c-vlaw.com
David Z. Valencik	on behalf of Defendant Eustace O. Uku dvalencik@c-vlaw.com kmosur@c-vlaw.com;ssimmons@c-vlaw.com;apratt@c-vlaw.com;ncalaiaro@c-vlaw.com;aopoku@c-vlaw.com
Denise Carlon	on behalf of Creditor Deutsche Bank National Trust Company as Indenture Trustee for New Century Home Equity Loan Trust 2004-1 dcarlon@kmlawgroup.com
Donald R. Calaiaro	on behalf of Creditor Charles A. Knoll Jr. dcalaiaro@c-vlaw.com, kmosur@c-vlaw.com;ssimmons@c-vlaw.com;apratt@c-vlaw.com;ncalaiaro@c-vlaw.com;aopoku@c-vlaw.com
Donald R. Calaiaro	on behalf of Plaintiff Eustace O. Uku dcalaiaro@c-vlaw.com kmosur@c-vlaw.com;ssimmons@c-vlaw.com;apratt@c-vlaw.com;ncalaiaro@c-vlaw.com;aopoku@c-vlaw.com
Donald R. Calaiaro	on behalf of Debtor Eustace O. Uku dcalaiaro@c-vlaw.com kmosur@c-vlaw.com;ssimmons@c-vlaw.com;apratt@c-vlaw.com;ncalaiaro@c-vlaw.com;aopoku@c-vlaw.com
Donald R. Calaiaro	on behalf of Defendant Eustace O. Uku dcalaiaro@c-vlaw.com kmosur@c-vlaw.com;ssimmons@c-vlaw.com;apratt@c-vlaw.com;ncalaiaro@c-vlaw.com;aopoku@c-vlaw.com
Jeffrey R. Hunt	on behalf of Creditor County of Allegheny jhunt@grblaw.com
Jeffrey R. Hunt	on behalf of Creditor Clairton City School District jhunt@grblaw.com
Jennifer L. Cerce	on behalf of Creditor Penn Hills School District and Municipality of Penn Hills jlc@mbm-law.net
Keri P. Ebeck	on behalf of Creditor Duquesne Light Company kebeck@bernsteinlaw.com btemple@bernsteinlaw.com;aepiscopo@bernsteinlaw.com;kebeck@ecf.courtdrive.com;agilbert@bernsteinlaw.com
Kristen Wetzel Ladd	on behalf of Creditor PNC Bank N.A. kladd@utbf.com, ogoomez@utbf.com
Leonard F. Spagnolo	on behalf of Mediator Leonard Spagnolo lspagnolo@palamerican.com pamctigue@bentzlaw.com
Lorraine Gazzara Doyle	on behalf of Creditor Banc of America Funding Corporation Mortgage Pass-Through Certificates Series 2007-8, U.S. Bank Nat ldoyle@squirelaw.com, logsecf@logs.com
Mario J. Hanyon	on behalf of Creditor U.S. Bank National Association as Trustee for Banc of America Funding Corporation Mortgage Pass-Thr wbecf@brockandscott.com, mario.hanyon@brockandscott.com
Mary Bower Sheats	on behalf of Counter-Defendant Shelley L Fant mary@mbsheatslaw.com mbsheats@gmail.com;sheats@gubinskylaw.com;g19303@notify.cincompass.com;sheats.maryb123008@notify.bestcase.com
Mary Bower Sheats	on behalf of Creditor Shelley Fant mary@mbsheatslaw.com mbsheats@gmail.com;sheats@gubinskylaw.com;g19303@notify.cincompass.com;sheats.maryb123008@notify.bestcase.com
Mary Bower Sheats	on behalf of Counter-Claimant Shelley L Fant mary@mbsheatslaw.com mbsheats@gmail.com;sheats@gubinskylaw.com;g19303@notify.cincompass.com;sheats.maryb123008@notify.bestcase.com
Mary Bower Sheats	on behalf of Defendant Shelley L Fant mary@mbsheatslaw.com mbsheats@gmail.com;sheats@gubinskylaw.com;g19303@notify.cincompass.com;sheats.maryb123008@notify.bestcase.com

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Office of the United States Trustee

ustpreion03.pi.ecf@usdoj.gov

Roger Fay

on behalf of Creditor Banc of America Funding Corporation Mortgage rfay@alaw.net bkecf@milsteadlaw.com

Ronda J. Winnecour

cmecf@chapter13trusteedpa.com

S. James Wallace

on behalf of Creditor Peoples Natural Gas Company LLC ecfpeoples@grblaw.com Equitablebankruptcy@peoples-gas.com

TOTAL: 32